



EAST PROVIDENCE WATERFRONT SPECIAL DEVELOPMENT DISTRICT COMMISSION

MEMORANDUM

Date: November 13, 2020
To: Design Review Committee, Hearing Panel & Waterfront Commission
From: Chris Martin, Executive Director

RE: Advisory Recommendation to the Waterfront Commission
Owner: Woonsocket Neighborhood Development Corporation
Applicant: Neighborworks Blackstone River Valley & Demeter, LLC
Address: 15 Ivy St/ 164 Taunton Ave
Assessor's: Map 106, Block 7, Lot 12
Zoning: Taunton Ave Sub-district

Introduction

The property at 15 Ivy Street and 164 Taunton Avenue is a .46-acre vacant corner lot that covers 20,041.10 square feet with frontage on both streets. The parcel is the site of the former Bomes Theater, demolished in 2008.

The proposed project is a residential and live/work development of thirteen townhomes. The use proposed is multi-family ownership housing. Nine of the units are residential townhomes fronting on Ivy Street, four of the units are artisan live/work along Taunton Avenue. All of the nine attached housing units along Ivy Street proposed with a gable roof with a height of 42 feet. The four attached housing structures with frontage on Taunton Avenue are proposed with a flat roof and a building height of 32 feet. Access to the rear parking area is provided by a driveway entrance on Ivy Street. The buildings are 3-story, wood frame and slab-on-grade construction complying with all relevant life safety codes.

According to section 19-482 "Performance Standards" of the Waterfront Special Development District, high density residential developments require two parking spaces per one residential unit, which is a total of 26 required off-street parking spaces for this development. The applicant is proposing 26 off-street parking spaces (18 on-site parking spaces and 8 garage parking spaces).

The legal structure is a community land trust (to be overseen by NeighborWorks Blackstone River Valley and a yet to be determined Monitoring Agency) with each owner leasing their lot for 99 years. The common space will be maintained by an association of the 13 owners. The applicant states that there will be an O&M agreement in place for the association to maintain common areas. The architectural style is commercial along Taunton Ave and residential along Ivy Street.

The development is designed to be mixed income with a range of household incomes from 50% to 100% of area median income (AMI). There will be recorded Affordable Housing Deed Restrictions to assure the City is able to include nine of the units deeded for purchase with incomes at or below 80% AMI in its inventory.

Neighborhood Context

The proposed site has been vacant since demolition of the former Bomes Theater in 2008. Although the subject parcel is zoned as part of the Taunton Avenue sub-district of the Waterfront District, adjacent parcels are subject to City of East Providence zoning. Adjacent lots fronting on Taunton Ave are zoned C3 and redevelopment is subject to the Taunton Avenue Overlay Zone. Lots immediately adjacent to and toward the rear of the subject lot are zoned R6 and include a 3-family dwelling on Ivy Street and a 2-family dwelling on James Street. Parcels across Ivy Street from the subject lot are zoned C3 and include the building fronting Taunton Ave that has recently been redeveloped for commercial uses on the

ground floor (including the recently opened Café Zora) with lofts above. Parking for this building is accessible from Ivy Street. A one-story brick and masonry warehouse built in 1950 and zoned C3 is located directly across from the proposed townhouses on Ivy Street. A densely developed neighborhood located north on Ivy Street is dominated by well-maintained 1-, 2- and 3-family dwellings typically constructed in the late 1880s and turn of the 20th century with more recent infill development.

The development of this highly visible, long-vacant parcel will provide a catalyst for the revitalization of the Taunton Avenue downtown area as well as much-needed affordable home-ownership opportunities. Located in the center of the downtown, and across the street from City Hall, this project will provide much needed affordable housing and small commercial/retail spaces. It is part of a diverse urban neighborhood with easy access to a generous array of retail, services, schools and employment opportunities.

The redevelopment of the lot will contribute to the walkable, livable fabric of the city center offering numerous benefits to the residents, workers and businesses of the region:

- Increase the supply of high-quality and well-located affordable workforce housing.
- Provide flexible live/work units to support local small business development.
- Provide additional residential density to support increased local economic and cultural activity.
- Help revitalize the main street corridor of East Providence.
- Improve environmental sustainability through 'green' development practices.
- Support smart-growth development by increasing residential density along a transit corridor in close proximity to goods and services.

The parcel is ideally situated on a major RIPTA bus route, minutes from I-195, a short bike ride to the East Bay Bike Path and the Redman Linear Park. Residents can walk to a variety of services including Weaver Library, the US Post Office, health centers, restaurants, banks and an array of local retail stores.

Background

A Pre-application meeting was held November 10, 2020, attended by Waterfront Commission staff, Glen Fontecchio—WC architectural consultant, Sara Bradford—WC landscape consultant, Staff from East Providence Dept of Public Works, Engineering Dept, Fire Dept, and Planning Dept. Application was received October 15, 2020 and certified complete November 2, 2020 (East Providence Land Development and Decision Index: Book 10, Page 238). Certified and first class mailing was sent to owners in the 200-foot notice area on November 5, 2020 and a legal notice was published in the November 5, 2020 East Providence Post, both indicating that a Design Review Committee and Hearing Panel hearing is scheduled for November 19, 2020 at 4:00 pm and full Waterfront Commission hearing is also scheduled for November 19, 2020 at 6:30 pm. Legal notice including the certified mailing was conducted in accordance with Sec 19-477 of the East Providence Zoning Ordinance.

History

April 17, 2017: The Waterfront Commission issued a preliminary determination to Demeter LLC on a mixed-use development which includes 14 condominiums and 2,000 sf of commercial space. A formal application meeting all submission requirements which follows the full Waterfront Commission approval process will be submitted by the applicant at a later date.

June 15, 2017: The Commission voted to approve Demeter LLC's request to allocate \$488,000 towards the Ivy Place project from the Commission's in lieu affordable housing fund. The source of funds is the 5% in-lieu contribution to the Commission from the AR Builders apartment project at Kettle Point, subject to the following conditions:

- That Demeter, LLC receive a commitment of RI Housing funding within six months; and
- That the funding allocated to the Demeter, LLC project from the Commission's in-lieu affordable housing fund will not exceed \$488,000.

January 18, 2018: The Commission voted to approve one final extension to Demeter LLC for gap financing for the Ivy Place mixed use development on Ivy Street and Taunton Avenue, subject to the following conditions:

- That Demeter, LLC receive a commitment of RI Housing funding by June 20, 2018; and
- That the funding allocated to the Demeter, LLC project from the Commission's in-lieu affordable housing fund will not exceed \$488,000.

May 16, 2019: The Commission voted to award \$743,500 from the East Providence Waterfront Commission In-lieu Affordable Housing Fund to Demeter LLC for the Ivy Place project subject to the following:

- Commitment of RI Housing or other funding by December 31, 2019.
- Approval of the Ivy Place project by the Waterfront Commission.
- Allocation of \$488,000 for Phase I and allocation of \$255,500 for Phase II.

January 16, 2020: The Commission voted to approve a December 19, 2019 request from Demeter, LLC for a sixty-day extension of approval of \$743,500 from the Affordable Housing In-lieu Fund for a mixed-use development which includes phased development of 14 affordable condominiums and 1,500 to 2,000 sf of commercial space subject to the following:

- Commitment of RI Housing or other state funding.
- Approval of the Ivy Place project by the Waterfront Commission.
- Allocation of funding for simultaneous construction of the complete project.
- Commencement of construction within 12 months of funding contracts in place.

June 18, 2020: The Commission hosted a Design Workshop with the applicant where the applicant presented updated plans.

Notification of funding:

- December 20, 2019 – Federal Home Loan Bank of Boston notification under the 2019 Affordable Housing Program of a direct subsidy - \$295,000
- February 28, 2020 – RI Office of Housing & Community Development notification of capital funding under the Building Homes RI III Program - \$807,721

Waterfront Commission In-Lieu Affordable Housing Fund

Current balance in this dedicated account is \$839,375. AR Builders has made two payments for 10% in-lieu affordable housing for Kettle Point Apartment, as approved by 4-2 vote of the Waterfront Commission on October 19, 2017. Payment of \$552,500 was received March 30, 2018 for Phase I including Bldgs 1, 2 and 3. Payment of \$191,250 was received April 29, 2019 for Phase II Bldgs 4 and 5 at the Building Permit stage. Final payment of \$191,250 will be due prior to issuance of the Certificate of Occupancy for these two buildings. Additional payment will be required for townhome units. Please note that the account balance exceeds the \$500,000 limit under the Federal Deposit Insurance Corporation (FDIC).

East Providence Waterfront Commission Affordable Housing Regulations

Based on review by legal counsel, draft "Regulations on the Calculation, Payment and Use of Fees In-Lieu of Affordable Housing" have been withdrawn from review by the Office of Regulatory Reform. The objective is now to incorporate these regulations as a zoning amendment to section 19-485 at a later date. As such, the Waterfront Commission does not have a regulation for the distribution of in-lieu affordable housing fees at the current time.

Consistency with the 2003 East Providence Waterfront Plan

Ivy Place supports many of the goals and objectives stated in the Plan as described in the "Ivy Place Narrative" dated November 13, 2020 and enclosed.

Consistency with the East Providence Comprehensive Plan

On November 9, 2020 the East Providence Planning Board voted unanimously to provide a positive recommendation to the Waterfront Commission that the Ivy Place development is consistent with the City's 2010-2015 Comprehensive Plan.

Votes

The following draft recommendations are based on staff, architectural and landscape consultant review and is subject to amendment based on testimony received at the November 19, 2020 hearing.

Draft Motions:

Design Review Committee:

The Design Review Committee votes to send a positive advisory opinion to the Waterfront Commission to approve the development at Ivy Place based on findings in the applicant's application and architectural plan set dated November 2, 2020, applicant's testimony, the executive director's November 10, 2020 memo, comments from City staff and consultants, public comment and the finding that the project is in conformance with the reviewing criteria set forth in Section 19-477 of the East Providence Zoning Ordinance and the purposes of Article IX, "Waterfront Special Development Districts" regulations of the East Providence Zoning Ordinance, subject to the following conditions:

1. The applicant explore the possibility of integrating decks on the second level, above the first floor porch to provide private outdoor space for tenants and to break up the architectural repetition on Ivy Street.
2. The applicant consider landscaping on the interior of the parking lot that will activate the area throughout the year.

Hearing Panel:

The Hearing Panel votes to send a positive advisory opinion to the Waterfront Commission on a deviation for the two minimum side-yard setbacks outlined below. It is the opinion of the Hearing Panel that these requests are a minor deviation from the requirements of Waterfront Commission Zoning Ordinance, Section 19-482, do not impact the character of the immediate area, and do not impact the privacy to the abutting property owners.

1. Along the Ivy Street north side-yard property line, from 5 feet to 4.2 feet
2. Along the Taunton Avenue east side-yard property line, from 5 feet to 4 feet

Waterfront Commission:

The Waterfront Commission votes to accept the advisory opinions of the Hearing Panel and Design Review Committee, subject to the following conditions:

1. Commencement of construction within 12 months of funding contracts in place.
2. The Waterfront Commission Executive Director & Legal Counsel shall review and approve the Operations and Management and Land Trust agreements.
3. Award of the approved \$743,500 In-Lieu funding on the following conditions:
 - a. In the event that the project does not reach its goal to provide affordable housing units in East Providence, the in-lieu fee award shall be reimbursed in full to the Waterfront Commission In-Lieu Affordable Housing Fund Account.
 - b. At project construction financing closing, a lien shall be recorded in the Land Evidence Records naming the Waterfront Commission as a creditor in the event that awarded funds do not lead to construction of certified affordable housing units. Said lien shall be discharged at the end of the 30 year compliance period.
 - c. At project construction financing closing, the developer shall sign a note and loan agreement, secured by a mortgage in favor of the Waterfront Commission In-Lieu Affordable Housing Fund Account.
 - d. In the event that an affordable unit is no longer occupied by an income-eligible household, the funding award shall be returned in full to the In-Lieu Affordable Housing Fund Account and the lien discharged.

Respectfully Submitted,



Chris Martin, Executive Director

cc: Waterfront Commission

Applicant:

- Joseph Garlick, Neighborworks Blackstone River Valley
- Cynthia Langlykke, Demeter, LLC

Attachments:

Ivy Place Project Narrative, November 13, 2020

Ivy Place Architectural Plans, November 2, 2020

Ivy Place Civil Drawings, November 2, 2020

Ivy Place Landscape Plan, November 12, 2020

Sara Bradford Landscape Architect Memo, October 27, 2020

City of East Providence Planning Department Notice of Decision, November 9, 2020

City of East Providence Planning Department Memo, November 5, 2020